

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**F050420**      **People v. Fuentes**  
The above-entitled case is submitted for decision.

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**F050420      People v. Fuentes**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F049936      People v. Leslie**

The judgment is affirmed. Levy, Acting P.J.

We concur: Gomes, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051696      People v. Ornelas**

No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F051686      People v. Valenzuela**

No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F049306      People v. Tucek**

The judgment of conviction is affirmed. The judgment of sentence is vacated and the matter remanded to the trial court for further proceedings in accordance with this opinion. Levy, Acting P.J.

We concur: Gomes, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F050440      County of Kern v. Sparks**

The judgment on the False Claims Act cause of action is reversed. The judgment on the negligent misrepresentation cause of action is affirmed. The parties shall bear their own costs on appeal. Levy, Acting P.J.

We concur: Gomes, J.; Hill, J.

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**F049579      People v. Grays, Jr.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F048910      People v. Hernandez**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F052006      People v. Brown**

IT IS HEREBY ORDERED that this action is ordered dismissed as having been improperly taken.

**F051589      Campagna v. City of Fresno**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8.140(b)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F047159      People v. Juan Geronimo Bautista**

Pursuant to the order filed in the Supreme Court of the United States in the above-entitled action vacating the judgment and remanding the case to the Court of Appeal of California, Fifth Appellate District, for further consideration in light of *Cunningham v. California* 549 U.S. \_\_\_\_ (2007), the remittitur issued on August 22, 2006, is ordered recalled.

The Clerk of the Superior Court of Fresno County is directed to return said remittitur to this court forthwith.

Further, this court's judgment entered on June 8, 2006, is ordered vacated. The appeal is reinstated.

Based on the reinstatement of this appeal, counsel previously appointed will continue with the representation of appellant in this matter.

Parties are to refer to the "Order Regarding Supplemental Briefing" posted on this court's website on February 21, 2007 for further instructions.